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7 LACEY SIVAK,
8 Plaintiff,
9 v.
10 JUDGE ARACELI MARTÍNEZ-OLGUÍN,
et al.,
11 Defendants.

Case No. [24-cv-04592-JD](#)
[24-cv-04653-JD](#)
[24-cv-06543-JD](#)
[24-cv-06544-JD](#)

ORDER RE DISMISSAL

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13 Pro se plaintiff Sivak is incarcerated in Idaho and is a frequent litigant in this District.
14 Scores of his cases were assigned to the Hon. Araceli Martínez-Olgún as presiding district judge.
15 After Judge Martínez-Olgún issued decisions adverse to Sivak, he filed four lawsuits against her.
16 Judge Martínez-Olgún recused herself and the cases were randomly reassigned to this Court.

17 The four cases are dismissed. None of the cases plausibly alleges a claim of any sort, even
18 when read generously for a pro se litigant. To the extent Sivak disagrees with Judge Martínez-
19 Olgún's disposition of his applications to proceed in forma pauperis, he may appeal to the Ninth
20 Circuit as circumstances warrant. He may not seek review by another judge in the District. *See*
21 *Allied Chem. Corp. v. Daiflon, Inc.*, 449 U.S. 33, 35 (1980); *see also Mullis v. United States*
22 *Bankr. Ct.*, 828 F.2d 1385, 1392-93 (9th Cir. 1987) ("horizontal appeal" from one district court to
23 another improper and "district court lacks authority to issue a writ of mandamus to another district
24 court"). In addition, Judge Martínez-Olgún is absolutely immune from civil claims for damages
25 alleged in connection with actions taken in her judicial capacity. *See Moore v. Brewster*, 96 F.3d
26 1240, 1243 (9th Cir. 1996).

The dismissals are with prejudice. No facts can overcome these barriers. The Clerk is requested to terminate all pending motions and close the cases. No further filings by Sivak will be accepted in these cases.

IT IS SO ORDERED.

Dated: October 15, 2024

JAMES DONATO
United States District Judge

United States District Court
Northern District of California